



CITY OF CHARLESTON

# Planning Commission Agenda Package

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FOR THE MEETING OF :

**September 20, 2017** 2 George St, Charleston, SC  
5:00PM - Regular Meeting

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CITY OF CHARLESTON



DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

[www.charleston-sc.gov/pc](http://www.charleston-sc.gov/pc)

# CITY OF CHARLESTON PLANNING COMMISSION

## MEETING OF SEPTEMBER 20, 2017

A meeting of the City of Charleston Planning Commission will be held at **5:00 p.m., on Wednesday, September 20, 2017** in the Public Meeting Room, 1<sup>st</sup> Floor, 2 George St. The following applications will be considered:

### REZONINGS

1. **10 Society and two vacant parcels on Society St (Peninsula) TMS# 4580104002, 004 & 021** – 0.62 ac. Request rezoning from General Business (GB) to Mixed Use/Workforce Housing (MU-2/WH).  
Owner: Leonard Storage Co, Inc; John T. Leonard, Jr, Inc  
Applicant: Southern Land Co
2. **32 Laurens St and a vacant parcel on Laurens St (Peninsula) TMS# 4580104003 & 4580102017** – 1.32 ac. Request rezoning from General Business (GB) and Light Industrial (LI) to Mixed Use/Workforce Housing (MU-2/WH).  
Owner: Multiple Owners  
Applicant: Southern Land Co
3. **445 Meeting St (Peninsula) TMS# 4590901045** - approx. 2.2 ac. Request rezoning from General Business (GB) to Mixed Use/Workforce Housing (MU-2/WH).  
Owner/Applicant: 445 Meeting Street Partners LLC

### SUBDIVISIONS

1. **Fairbanks Drive (Daniel Island) TMS# 2710000010 & 012** – 16.78 ac. 90 lots. Request subdivision concept plan approval. Zoned Daniel Island General Office (DI-GO).  
Owner: Daniel Island Riverside Developers, LLC  
Applicant: Lowcountry Land Development Consultants
2. **Central Park Cluster Development (Central Park Road – James Island) TMS# 3400300007** – 10.35 ac. 39 lots. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-1).  
Owner: Levi Grantham, LLC  
Applicant: Seamon, Whiteside & Associates, Inc.
3. **Bees Ferry Road Cluster Development (West Ashley) TMS# 2870000054** – 12.21 ac. 33 lots. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-1).  
Owner: Phyllis Washington  
Applicant: Empire Engineering, LLC
4. **Cainhoy Office & Retail Park (Clements Ferry Road – Cainhoy) TMS# 2620000008** – 31.52 ac. 16 lots. Request subdivision concept plan approval. Zoned Planned Unit Development (PUD).  
Owner: Cainhoy Land & Timber, LLC  
Applicant: Thomas & Hutton Engineering Co.
5. **CCSD West Ashley Campus (Sanders Road – West Ashley) TMS# 3060000011** – 126.17 ac. 3 lots. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-1) and Diverse Residential (DR-6).  
Owner: Charleston County School District  
Applicant: ADC Engineering, Inc.

## **ZONINGS**

1. **2178 Coker Ave (James Island) TMS# 3430100046** – 0.48 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.  
Owner: Nicholas Witte & Katherine Riddile
2. **1944 Woodland Rd (West Ashley) TMS# 3551000064** – 0.24 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.  
Owner: Heather Hays & David Kauffman
3. **781 Saint Andrews Blvd (West Ashley) TMS# 4181000080** – 0.36 ac. Request zoning of General Office (GO). Zoned Saint Andrews Overlay District (OD-STA) in Charleston County.  
Owner: Kevin Shealy

## **ORDINANCE AMENDMENT**

1. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) **by creating a Folly Road Overlay Zone.**

## **APPROVAL OF MINUTES**

Approval of minutes from previous meetings.

## **REPORT OF THE TECHNICAL REVIEW COMMITTEE**

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

### **Preliminary & Final Plats**

1. **Governor's Cay, Phase 5 (Forrest Drive – Cainhoy) TMS# 2710002150** – 6.7 ac. 13 lots. DR-9. Preliminary subdivision plat pending approval.
2. **Parcel S (Farr Street – Daniel Island) TMS# 2750000118 & 182** – 21.1 ac. 3 lots. DI-R. Final subdivision plat pending approval.
3. **Hatchet Bay Drive Extension (West Ashley) TMS# 3070000007** – 0.5 ac. PUD. Final subdivision plat pending approval.
4. **The Pointe at Rhodes Crossing (Sanders Road – West Ashley) TMS# 2860000444** – 84.1 ac. 60 lots. SR-6. Final subdivision plat pending approval.
5. **Farr Street Homes (Daniel Island) TMS# 2750000182** – 3.7 ac. 13 lots. DI-R. Preliminary subdivision plat pending approval.
6. **Johnston Point, Phase 2 (Murray Wood Road – Johns Island) TMS# 3120000023 & 024** – 14.0 ac. 50 lots. SR-1. Preliminary subdivision plat pending approval.
7. **Pine Log Lane Cluster Development (Brownswood Road – Johns Island) TMS# 3120000008 & 009** – 29.9 ac. 73 lots. SR-1 & RR-1. Preliminary subdivision plat pending approval.
8. **Carolina Bay, Phase 15 (Rutherford Way – West Ashley) TMS# 3090000054** – 18.3 ac. 26 lots. PUD. Preliminary subdivision plat pending approval.
9. **River Glen (Brownswood Road – Johns Island) TMS# 3120000056, 166, 193, 194** – 31.1 ac. 70 lots. SR-2. Preliminary subdivision plat pending approval.
10. **Newbury Street (James Island) TMS# 4250900066 & 067** – 1.1 ac. 3 lots. SR-1. Final subdivision plat pending approval.
11. **Goldberg Tract (River Road – Johns Island) TMS# 3120000064** – 26.4 ac. 2 lots. RR-1 & C. Final

subdivision plat pending approval.

12. **Gadsdenboro Park (Laurens Street – Peninsula) TMS# 4580102063** – 1.2 ac. 2 lots. MU-2. Preliminary subdivision plat pending approval.
13. **Cainhoy South, Phase 1A (Clements Ferry Road) TMS# 2620000008** – 66.7 ac. 70 lots. PUD. Preliminary subdivision plat pending approval.
14. **Ashley Park, Phase 5 (William E. Murray Boulevard – West Ashley) TMS# 3060000132** – 9.6 ac. 50 lots. DR-9. Final subdivision plat recorded.
15. **Watroo Point (Daniel Island) TMS# 2711101113** – 1.7 ac. 2 lots. DI-R. Preliminary subdivision plat approved. Final subdivision plat pending approval.
16. **Parcel FF, Phase 1 (Rhoden Island Drive – Daniel Island) TMS# 2750000092** – 26.6 ac. 38 lots. DI-RI. Final subdivision plat pending approval.
17. **Parcel R-9 (Pier View Street – Daniel Island) TMS# 2750000114** – 30.6 ac. 2 lots. DI-TC. Preliminary subdivision plat approved. Final subdivision plat pending approval.
18. **61 & 63 Watroo Point (Daniel Island) TMS# 2711101111** – 0.6 ac. 2 lots. DI-R. Preliminary subdivision plat approved. Final subdivision plat pending approval.
19. **Riverland Drive (James Island) TMS# 3400000029** – 1.9 ac. 2 lots. SR-1. Preliminary subdivision plat pending approval.
20. **Cainhoy South, Phase 1B (Clements Ferry Road) TMS# 2620000008** – 39.8 ac. 53 lots. PUD. Preliminary subdivision plat pending approval.
21. **107 Brigade Street (Peninsula) TMS# 4640000003** – 8.4 ac. 4 lots. MU-2/WH. Preliminary subdivision plat pending approval.
22. **Grand Oaks, Phases 5 & 6 (Proximity Drive – West Ashley) TMS# 3010000686 & 695** – 20.4 ac. 30 lots. PUD. Final subdivision plat pending approval.
23. **Crosscreek Drive (James Island) TMS# 4240000013** – 5.9 ac. 2 lots. GB. Preliminary subdivision plat approved.
24. **Grace Bridge Street (Peninsula) TMS# 4590601071 & 072** – 1.7 ac. 3 lots. GB. Preliminary subdivision plat approved.

#### **Road Construction Plans**

1. **Cainhoy South, Phase 1A (Clements Ferry Road) TMS# 2620000008** – 66.7 ac. 70 lots. PUD. Road construction plans pending approval.
2. **Governor's Cay, Phase 5 (Forrest Drive – Cainhoy) TMS# 2710002150** – 6.7 ac. 13 lots. DR-9. Road construction plans under review.
3. **Grace Plantation (Church Place Road – Johns Island) TMS# 2530000199, 285, 334** – 55.2 ac. 76 lots. SR-1 & SR-7. Road construction plans pending approval.
4. **Farr Street Homes (Daniel Island) TMS# 2750000182** – 3.7 ac. 13 lots. DI-R. Road construction plans pending approval.
5. **Johnston Point, Phase 2 (Murray Wood Road – Johns Island) TMS# 3120000023 & 024** – 14.0 ac. 50 lots. SR-1. Road construction plans under review.
6. **Pine Log Lane Cluster Development (Brownswood Road – Johns Island) TMS# 3120000008 & 009** – 29.9 ac. 73 lots. SR-1 & RR-1. Road construction plans under review.
7. **Carolina Bay, Phase 15 (Rutherford Way – West Ashley) TMS# 3090000054** – 18.3 ac. 26 lots. PUD. Road construction plans under review.
8. **River Glen (Brownswood Road – Johns Island) TMS# 3120000056, 166, 193, 194** – 31.1 ac. 70 lots. SR-2. Road construction plans under review.
9. **Cainhoy South, Phase 1B (Clements Ferry Road) TMS# 2620000008** – 39.8 ac. 53 lots. PUD. Road construction plans under review.
10. **Woodland Estates (Woodland Shores Road – James Island) TMS# 3431500021, 022, 023** – 6.7 ac. 26 lots. SR-2. Road construction plans under review.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting [www.charleston-sc.gov/pc](http://www.charleston-sc.gov/pc). In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.

# CITY OF CHARLESTON PLANNING COMMISSION

September 20, 2017

## Rezoning 3 :

### **445 Meeting St (Peninsula)**

## **BACKGROUND**

The applicant is requesting a rezoning from General Business (GB) to Mixed Use Workforce Housing (MU-2/WH). The subject property is located on the block bounded by Columbus Street, Meeting Street, Spring Street and the Norfolk Southern Railroad right-of-way. The property is currently occupied by a large retail building formerly containing the Piggly Wiggly and Bi-Lo (more recently) grocery stores. Surrounding zonings include MU-2/WH, General Business (GB) and Light Industrial (LI).

Surrounding uses vary widely and most of the buildings are either very new or built within in the past few decades. The Post & Courier property to the north is under construction as a mixed-use development containing residential and office uses. Buildings across Meeting Street from the subject property contain a variety of retail uses and a church. The property to the south contains a mixed-use building with apartments (including workforce housing) and retail. The property to the west is the proposed Lowcountry Low Line (former Norfolk Southern Rail right-of-way).

The Mixed-Use/Workforce Housing (MU-2/WH) zoning district allows for a mix of uses that incorporates housing opportunities for persons of varying means and incomes, along with complementary nonresidential uses. The permitted uses in MU-2/WH are the same as those allowed in GB.

## **CENTURY V CITY PLAN RECOMMENDATIONS**

The **Century V Plan** encourages appropriate infill development within already urbanized areas. The Century V Plan map indicates the subject properties are within an area designated as **Urban Core**. Areas designated as such in the plan are typified by high density, a wide variety of uses, and taller buildings in an urban format. Given the existing mix of uses and building types in this part of the City's urban core, the requested MU-2/WH is appropriate for this area.

## **STAFF RECOMMENDATION**

APPROVAL

## Rezoning 3

445 Meeting St (Peninsula)

TMS# 4590901045

approx. 2.2 ac.

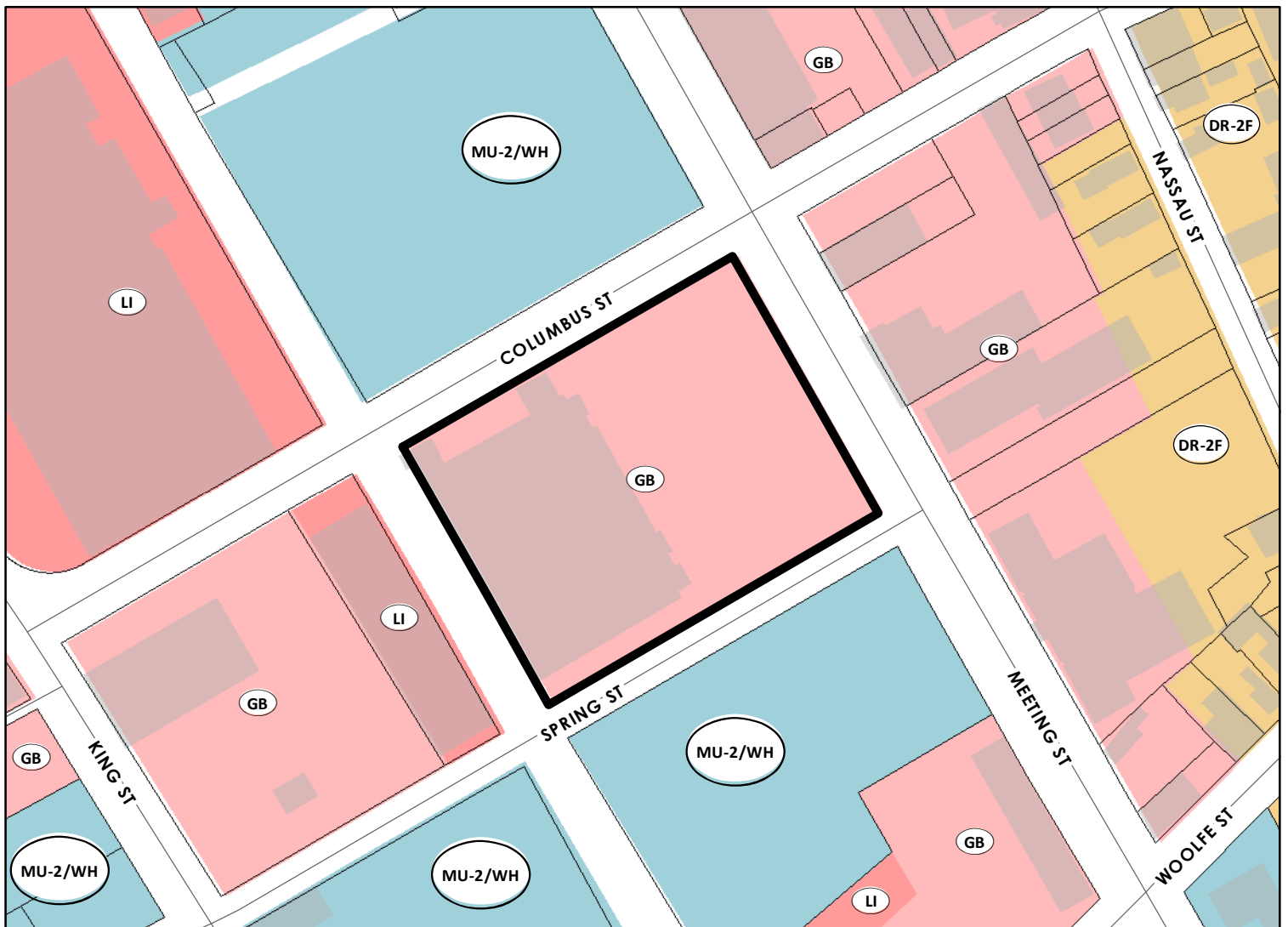
Request rezoning from General Business (GB)  
to Mixed-Use Workforce Housing (MU-2/WH).

Owner/Applicant: 445 Meeting Street Partners LLC

Area



Location



**CITY OF CHARLESTON  
PLANNING COMMISSION**

September 20, 2017

**Subdivision 3:**

**Bees Ferry Road Cluster Development  
(West Ashley)**

**BACKGROUND**

The applicant is requesting subdivision concept plan approval for 12.21 acres on Bees Ferry Road at Savannah Highway in West Ashley. This project consists of the creation of new alley rights-of-way to serve 33 parcels for single-family detached homes. The proposed rights-of-way are typical for Alleys and the new parcels conform to the subdivision requirements for Cluster Developments. There is no critical area adjacent to this site. There are jurisdictional wetlands on the site, which are not proposed to be impacted. There are grand trees on the site, impacts to which are proposed and will require the approval of BZA-SD. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The property is zoned Single-Family Residential (SR-1), which allows residential cluster developments. The surrounding existing uses include primarily residential and commercial uses.

**STAFF RECOMMENDATION**

APPROVAL WITH CONDITIONS

## Subdivision 3

Bees Ferry Road Cluster Development (West Ashley)

TMS# 2870000054

12.21 ac.

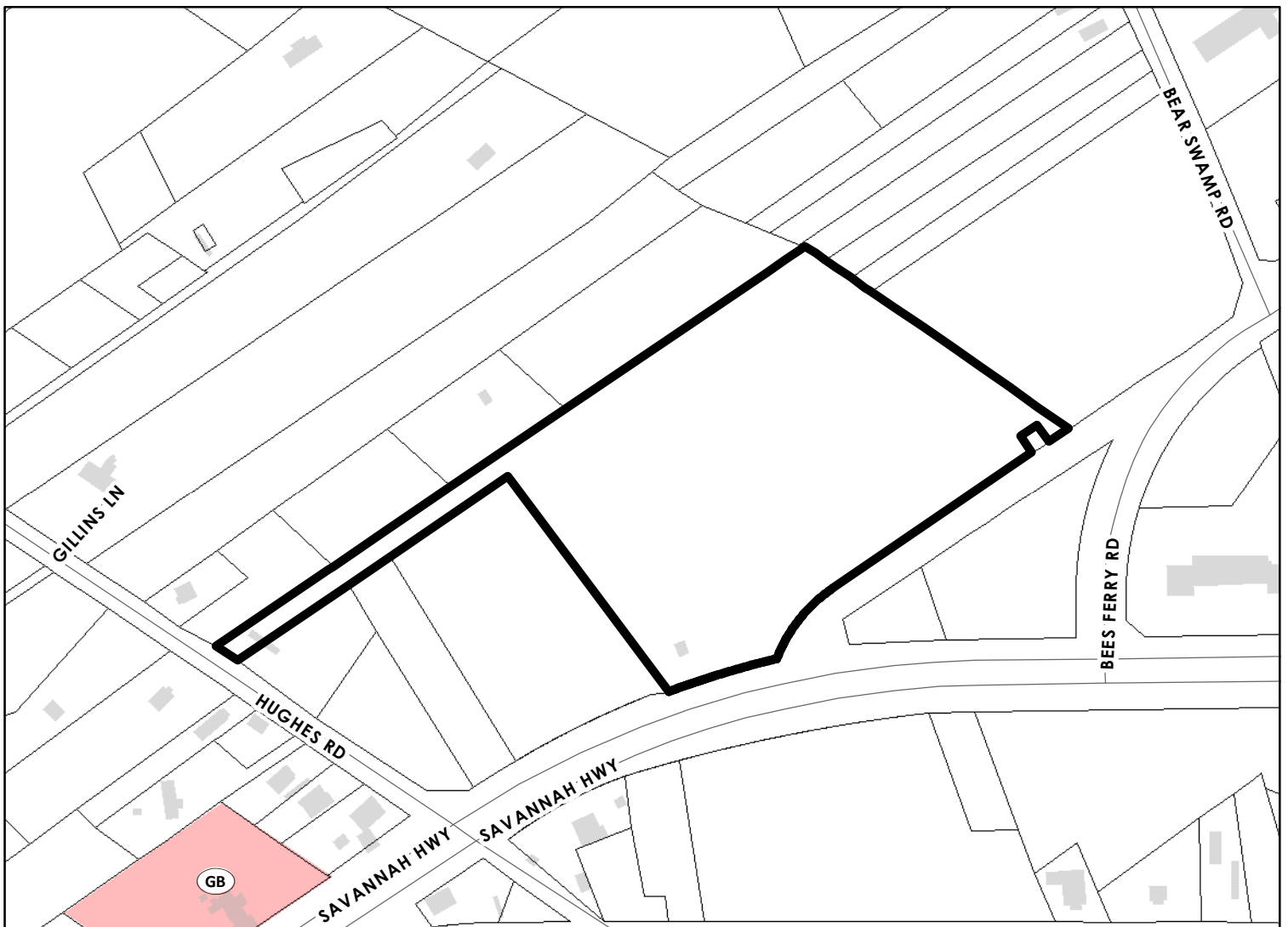
33 lots. Request subdivision concept plan approval.  
Zoned Single-Family Residential (SR-1).

Owner: Phyllis Washington  
Applicant: Empire Engineering, LLC

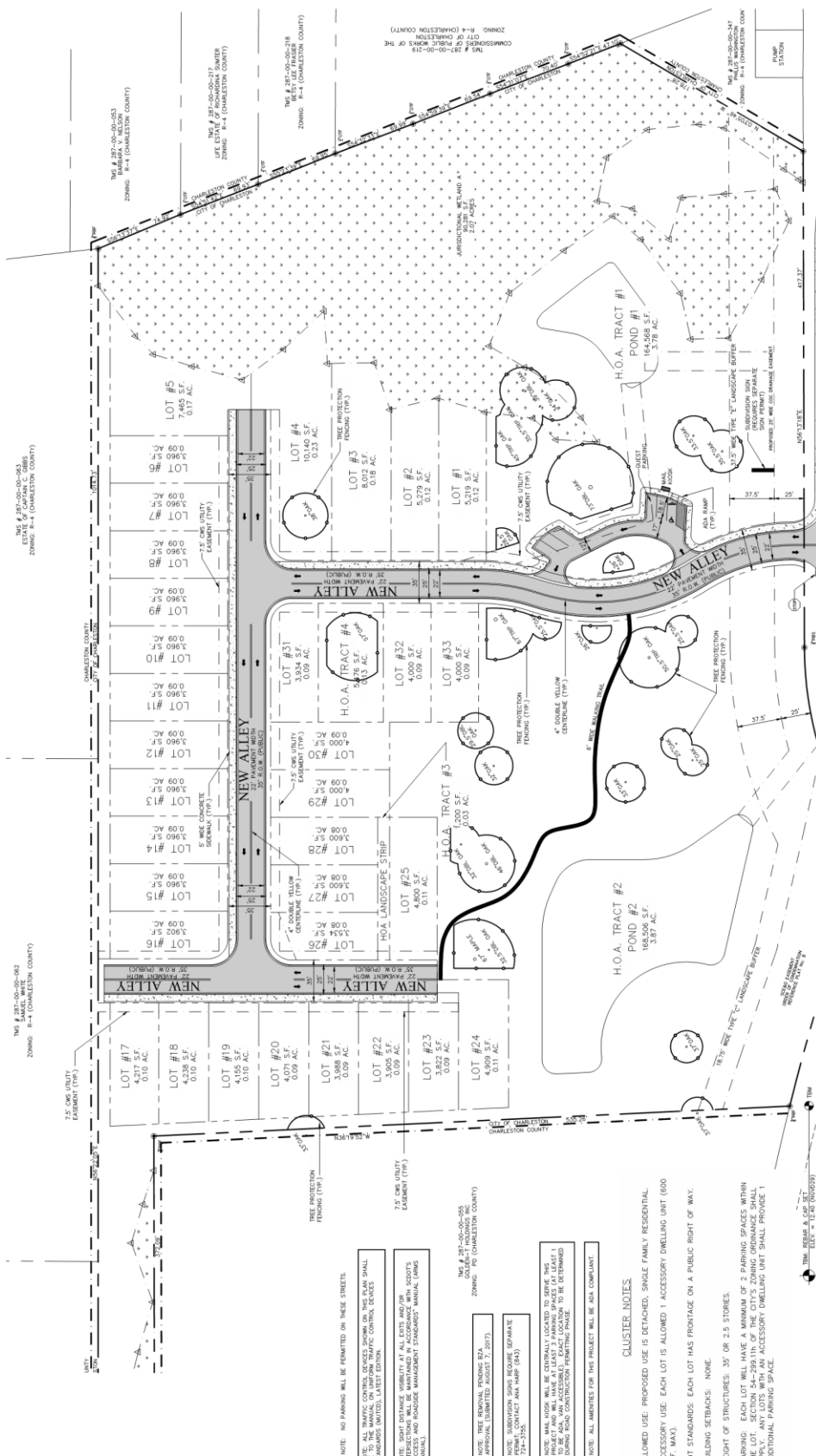
Area



Location







- PURPOSE NARRATIVE**
- THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT A 33 LOT, SINGLE FAMILY CLUSTER RESIDENTIAL SUBDIVISION. THIS DEVELOPMENT HAS BEEN DESIGNED UTILIZING THE FOLLOWING CONCEPTS:
1. LAYOUT OF ROADS AND LOTS IN A WAY TO PRESERVE AS MANY GRAND TREES AS POSSIBLE.
  2. PROVIDES 60.4% OPEN SPACE FOR COMMUNITY MEMBERS AND CITIZENS TO ENJOY.
  3. EXHIBITS LARGE, TRADITIONAL, OLD-AGE-SCALE AND REDUCING ROAD SIZE TO DECREASE STORMWATER RUNOFF AND POLLUTION.
  4. PROVIDES NATURAL DRAINAGE SWALES AT THE REAR OF THE LOTS TO REDUCE INFRASTRUCTURE IMPROVEMENTS.
  5. PROVIDE VARYING LOT SIZES AND THEREFORE HOUSE DESIGNS.

ZONING SUMMARY			
PANEL	SQUARE FOOTAGE	ACREAGE	
ZONING BR-1 (CLUSTER DEVELOPMENT)			
NET SITE AREA (WETLAND AREA)	52,000 S.F.	12.13 AC.	
NET SITE AREA (WETLAND AREA)	102,000 S.F.	2.37 AC.	
NET SITE AREA (WETLAND AREA)	429,320 S.F.	9.86 AC.	
NET SITE AREA (WETLAND AREA)	48,100 S.F.	1.10 AC.	
NET SITE AREA (WETLAND AREA)	9,864 S.F.	0.23 AC.	
NET SITE AREA (WETLAND AREA)	33,100 S.F.	0.76 AC.	
NET SITE AREA (WETLAND AREA)	1,200 S.F.	0.03 AC.	

LEGEND			
EXISTING FEATURES	PROPOSED FEATURES	PROPOSED FEATURES	PROPOSED FEATURES
EXISTING PROPERTY LINES	PROPOSED PROPERTY LINES	PROPOSED PROPERTY LINES	PROPOSED PROPERTY LINES
EXISTING LOT LINES	PROPOSED LOT LINES	PROPOSED LOT LINES	PROPOSED LOT LINES
EXISTING UNDERGROUND UTILITIES	PROPOSED UNDERGROUND UTILITIES	PROPOSED UNDERGROUND UTILITIES	PROPOSED UNDERGROUND UTILITIES
EXISTING OVERHEAD POWER LINES	PROPOSED OVERHEAD POWER LINES	PROPOSED OVERHEAD POWER LINES	PROPOSED OVERHEAD POWER LINES
EXISTING STORM SEWER	PROPOSED STORM SEWER	PROPOSED STORM SEWER	PROPOSED STORM SEWER
EXISTING DRIVEWAY	PROPOSED DRIVEWAY	PROPOSED DRIVEWAY	PROPOSED DRIVEWAY
EXISTING SPOT ELEVATION	PROPOSED SPOT ELEVATION	PROPOSED SPOT ELEVATION	PROPOSED SPOT ELEVATION
EXISTING WATER MAIN	PROPOSED WATER MAIN	PROPOSED WATER MAIN	PROPOSED WATER MAIN
EXISTING FENCE	PROPOSED FENCE	PROPOSED FENCE	PROPOSED FENCE
EXISTING TREE PROTECTION FENCING	PROPOSED TREE PROTECTION FENCING	PROPOSED TREE PROTECTION FENCING	PROPOSED TREE PROTECTION FENCING

**CLUSTER NOTES**

ALLOWED USE: PROPOSED USE IS DETACHED, SINGLE FAMILY RESIDENTIAL.  
ACCESSORY USE: EACH LOT IS ALLOWED 1 ACCESSORY DWELLING UNIT (600 S.F. MAX).  
LOT STANDARDS: EACH LOT HAS FRONTAGE ON A PUBLIC RIGHT OF WAY.  
BUILDING SETBACKS: NONE.  
HEIGHT OF STRUCTURES: 35' OR 2.5 STORIES.  
FENCING: EACH LOT WILL HAVE A MINIMUM OF 3' FENCING SPACES WITHIN THE LOT. SETBACKS OF THE LOT'S FENCING SPACES SHALL BE DETERMINED BY THE CITY'S ZONING ENFORCEMENT DIVISION.  
APPLY: ANY LOTS WITH AN ACCESSORY DWELLING UNIT SHALL PROVIDE 1 ADDITIONAL PARKING SPACE.

NOTE: NO PARKING WILL BE PERMITTED ON THESE STREETS.

NOTE: ALL TRAFFIC CONTROL DEVICES SHOWN ON THIS PLAN SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MUTCD (2003 EDITION).

NOTE: RIGHT OF WAY VARIATION AT ALL EXITS AND/OR INTERSECTIONS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MUTCD (2003 EDITION).

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**CITY OF CHARLESTON  
PLANNING COMMISSION**

September 20, 2017

**Zonings 1 and 2 :**

**Recently Annexed Properties on James Island & in West Ashley**

**BACKGROUND**

The following zoning items are located in the **West Ashley** and **James Island** areas of the City and were recently annexed or the annexation is pending. The zoning districts recommended in the City closely match the zonings assigned to the properties in Charleston County or they are compatible with the context of the existing development or lot sizes in the surrounding neighborhoods.

<b><u>Zoning Item</u></b>	<b><u>Property Address</u></b>	<b><u>Acres</u></b>	<b><u>Land Use</u></b>	<b><u>Previous Zoning</u></b>	<b><u>Recommended Zoning</u></b>
	<b><u>James Island</u></b>				
1.	2178 Coker Ave	0.48	Single-Family Residential	R-4	SR-I
	<b><u>West Ashley</u></b>				
2.	1944 Woodland Rd	0.25	Single-Family Residential	R-4	SR-I

**CENTURY V CITY PLAN RECOMMENDATIONS**

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject properties are designated in the Century V Plan as **Suburban** or **Suburban Edge** which are predominately residential with varying, but lower densities. Given the existing pattern of development in the surrounding area the proposed zonings are appropriate for these sites.

**STAFF RECOMMENDATION**

APPROVAL ON ITEMS 1 AND 2

## Zoning 1

2178 Coker (James Island)

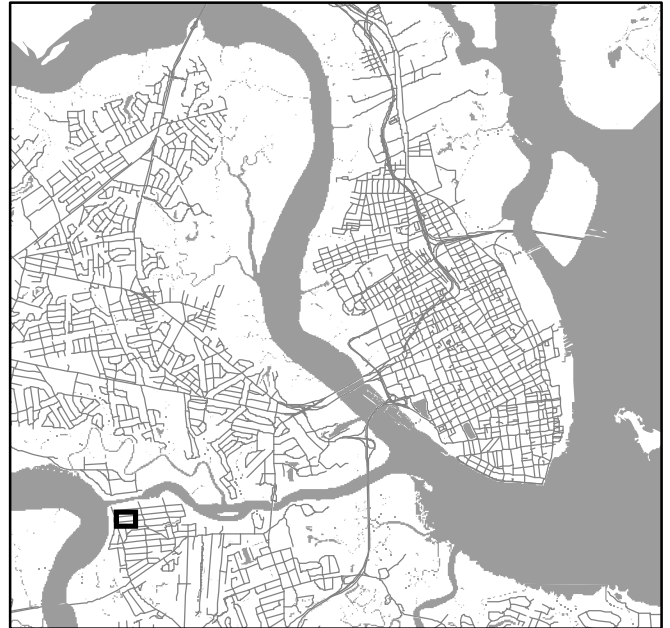
TMS# 3430100046

0.48 ac.

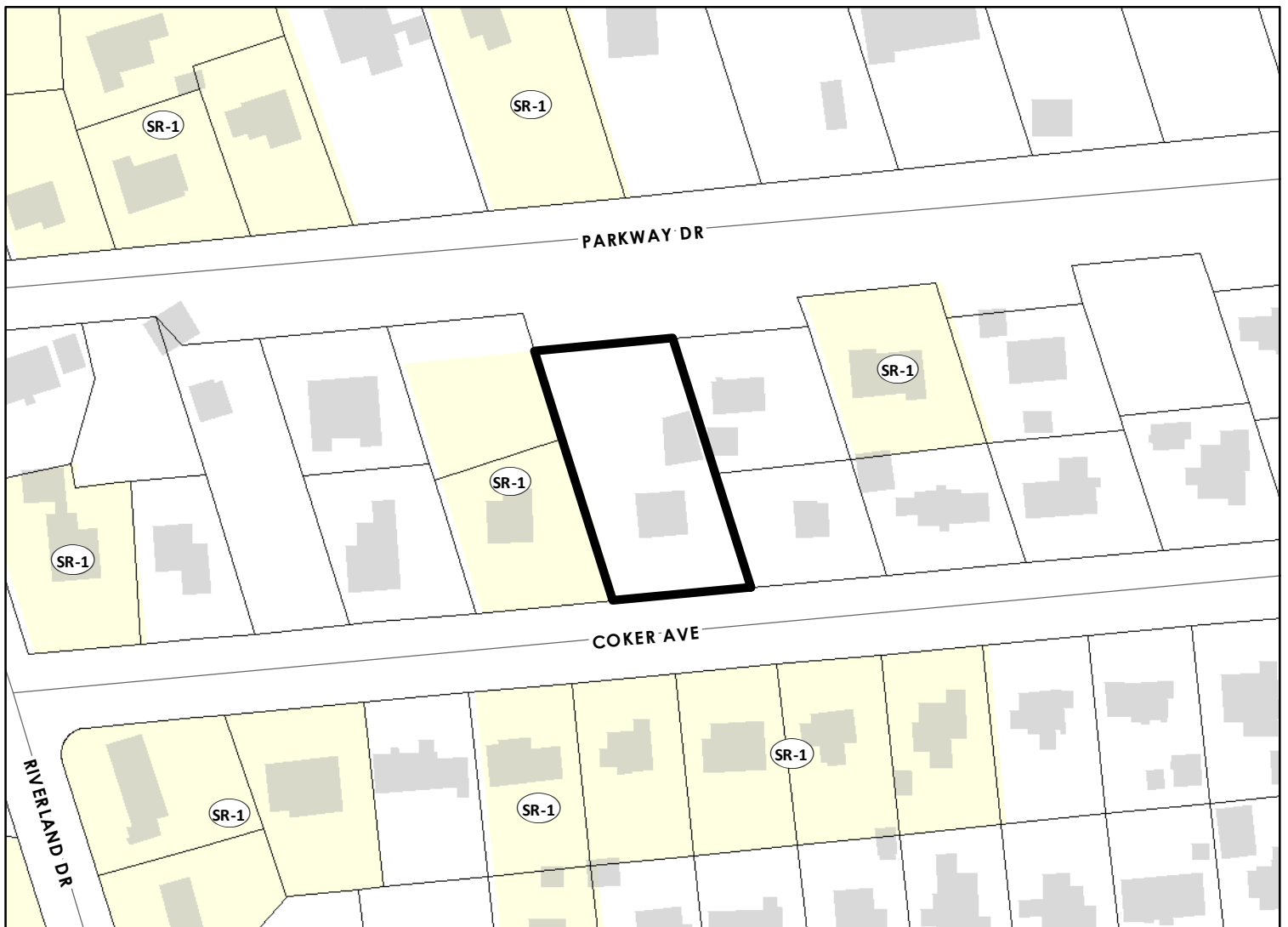
Request zoning of Single-Family Residential (SR-1).  
Zoned Single-Family Residential (R-4)  
in Charleston County.

Owner: Nicholas Witte & Katherine Riddle

Area



Location



**Zoning 2**

**1944 Woodland Rd (West Ashley)**

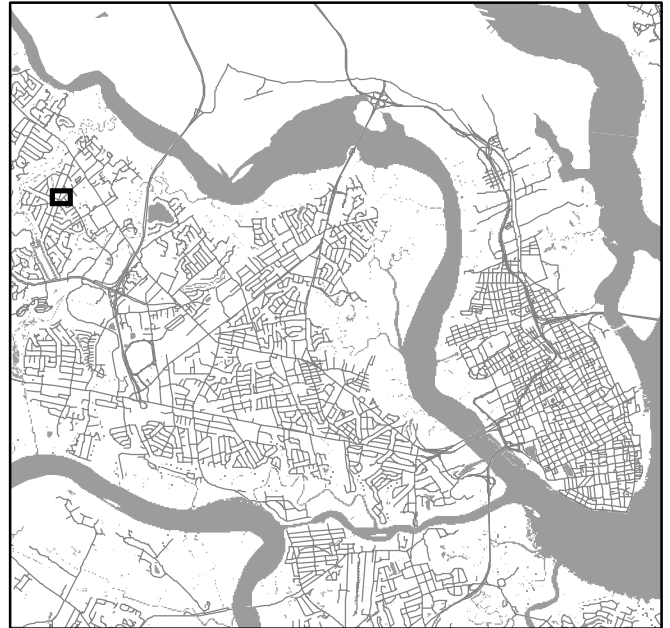
**TMS# 3551000064**

**0.24 ac.**

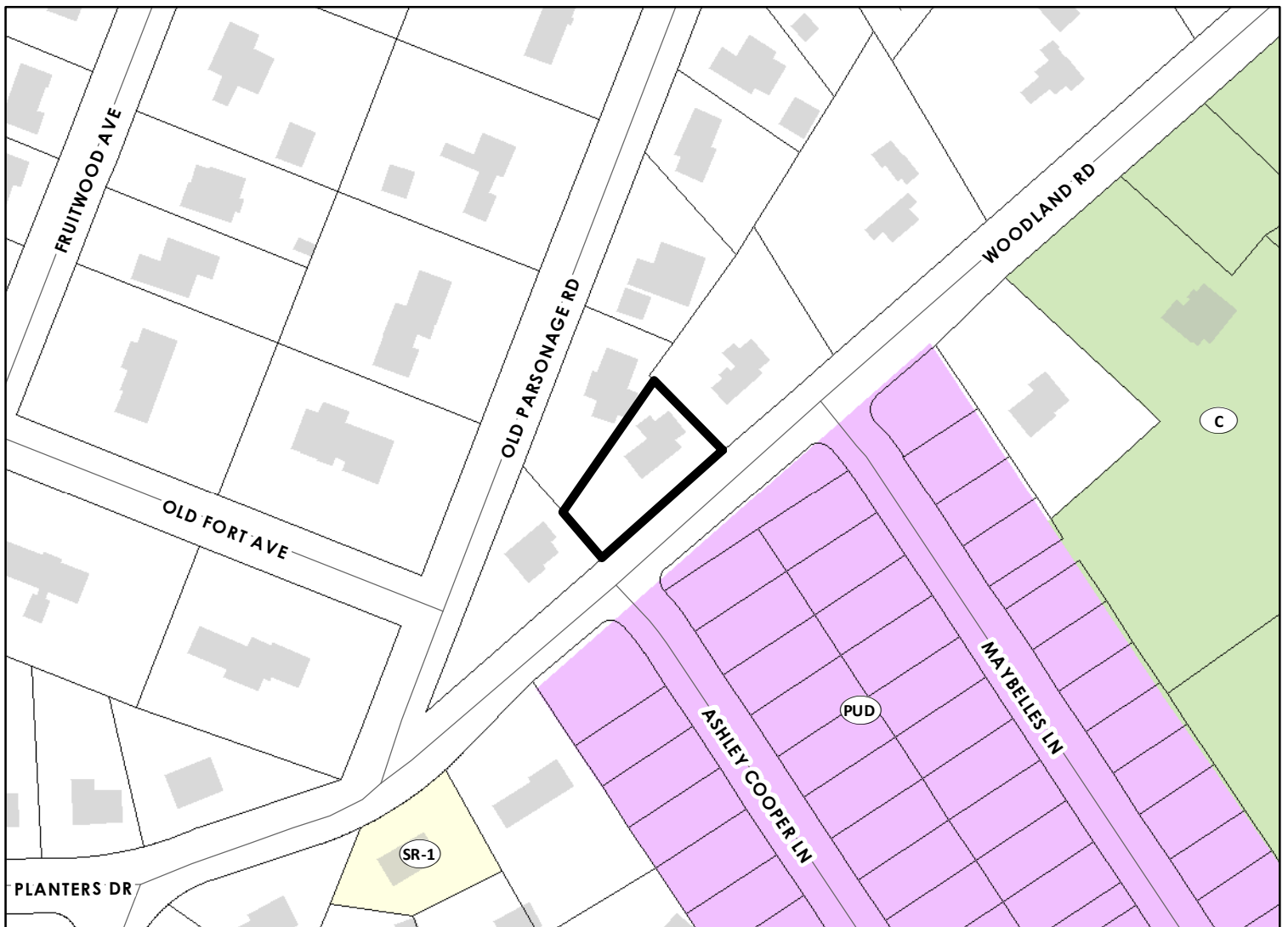
**Request zoning of Single-Family Residential (SR-1).  
Zoned Single-Family Residential (R-4)  
in Charleston County.**

**Owner: Heather Hays & David Kauffman**

Area



Location



# **CITY OF CHARLESTON PLANNING COMMISSION**

September 20, 2017

## **Zoning 3 :**

**781 Saint Andrews Blvd (West Ashley)**

### **BACKGROUND**

The subject property is pending annexation into the City of Charleston and the property owner is requesting a zoning of General Office (GO). The property is zoned Saint Andrews Area Overlay District (OD-STA) in Charleston County. Surrounding zonings include General Office (GO), Residential Office (RO) and Single-Family Residential (SR-1) in the City and Saint Andrews Area Overlay District (OD-STA) in Charleston County. The property is surrounded by offices and single-family homes. The subject property contains a small office building containing an insurance agency.

### **CENTURY V CITY PLAN RECOMMENDATIONS**

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Highway District** which is characterized by mostly automobile intensive commercial uses but sometimes contains less intense uses such as office and residential. Most of the properties fronting on Saint Andrews Boulevard in this area of West Ashley have commercial zonings and uses. Given the existing context, the proposed GO zoning is appropriate for this site.

### **STAFF RECOMMENDATION**

APPROVAL

## Zoning 3

781 Saint Andrews Blvd (West Ashley)

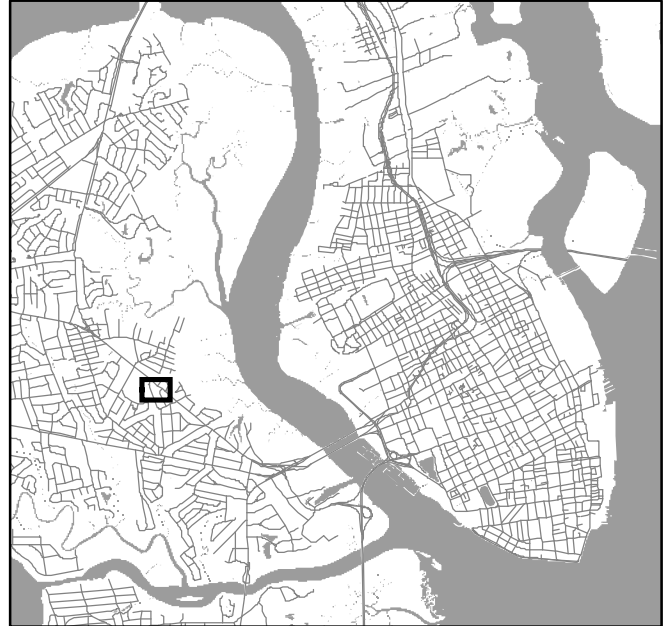
TMS# 4181000080

0.36 ac.

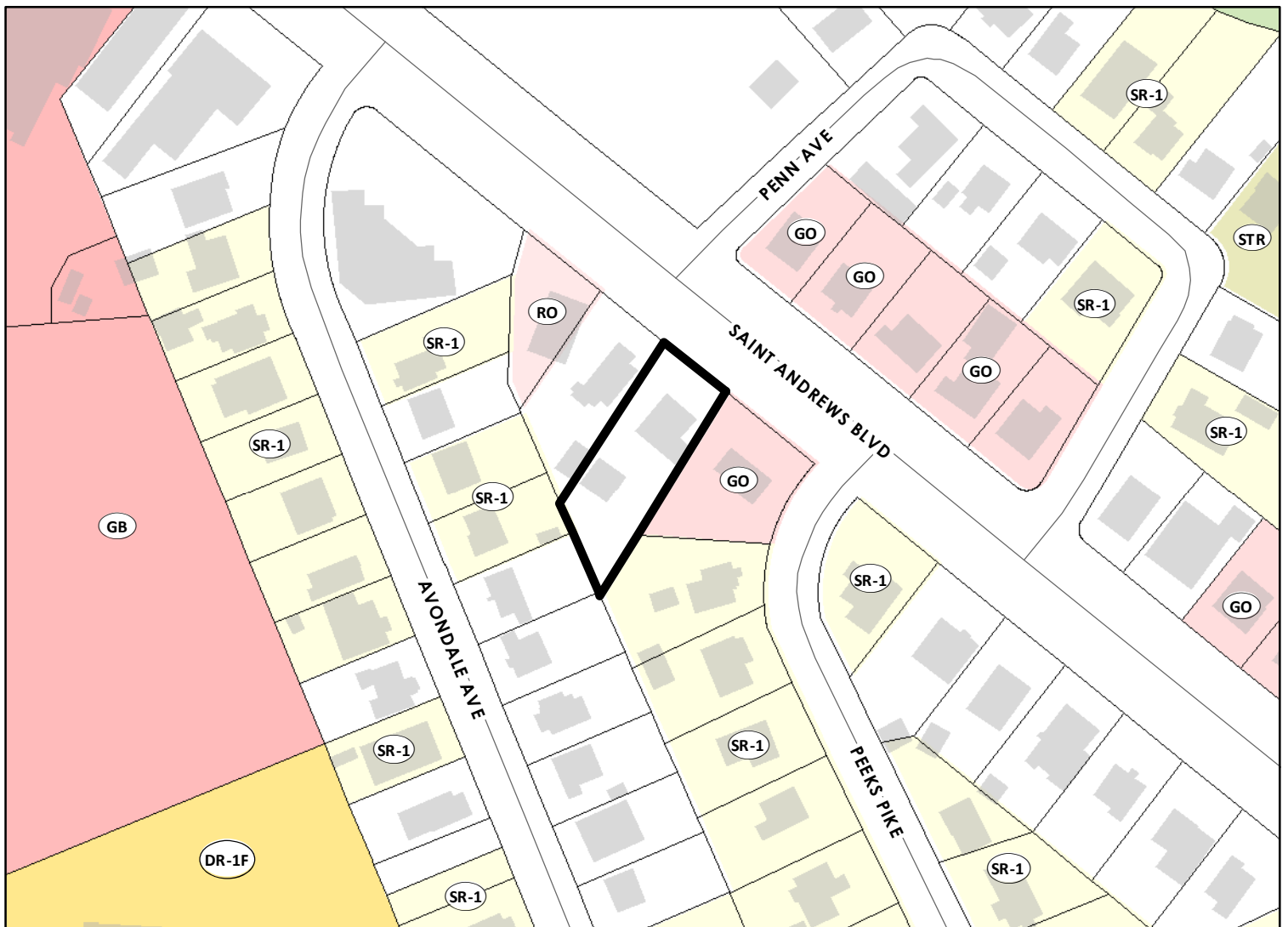
Request zoning of General Office (GO).  
Zoned Saint Andrews Overlay District (OD-STA)  
in Charleston County.

Owner: Kevin Shealy

Area



Location



**CITY OF CHARLESTON  
PLANNING COMMISSION**

September 20, 2017

**Ordinance Amendment 1 :**

**Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by creating a Folly Road Overlay Zone.**

**BACKGROUND**

On August 15, 2017, the City of Charleston Council enacted a moratorium on certain development activity on James Island. This ordinance prohibits the processing of development applications/permits for certain types of development on commercially zoned properties located on James Island until November 6, 2017. It was intended to allow the City time to assess and make recommendations regarding the zoning of commercial properties and land use on James Island to assure an appropriate balance.

Even before the moratorium was finalized, the City has been working with Charleston County and the Town of James Island to draft similar zoning overlay ordinances to address development in the Folly Road corridor. The attached ordinance language is the version proposed for City of Charleston areas of the corridor and it closely parallels ordinances from other jurisdictions.

**STAFF RECOMMENDATION**

APPROVAL

## AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY CREATING THE FOLLY ROAD OVERLAY ZONE

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Article 2, Part 5 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting, in numerical order, the following new sections:

### **Sec. 54-229.4. Folly Road, FR, Overlay Zone.**

**a. Intent.** The Folly Road, FR, overlay zone fronts on the east and west sides of Folly Road from its intersection with Tatum Road south to the Folly River and includes only those parcels with a commercial base zoning designation. Folly Road is the main thoroughfare on James Island and the only route leading to Folly Beach. As such, it carries a large number of vehicles each day. Moreover, some of the properties along Folly Road are located within the jurisdictional limits of the Town of James Island, the City of Folly Beach, the City of Charleston, and unincorporated Charleston County. The intent of the FR overlay zone is to implement traffic safety measures, to improve the visual character of the corridor, and to create consistency between the Town of James Island, the City of Folly Beach, the City of Charleston, and unincorporated Charleston County concerning land use and design standards.

### **b. Generally.**

#### **1. Development regulations for all areas of the FR overlay zone.**

The following development regulations apply to all parcels within FR overlay zone in addition to the requirements described below for each of the five sub-areas. All non-single family detached development applications shall, at the time application is made, provide proof that the following requirements will be met prior to the issuance of any approvals:

#### **(a) Vehicle Access**

(1)) All parcels in this overlay zoning district with a base zoning of RO (Residential Office) shall be allowed one curb cut per 150 feet of road frontage; all other parcels with a commercial base zoning shall be allowed one curb cut every 250 feet.

(2) Proposed new access drives shall be a minimum distance of 75 feet from a street intersection measured from the edge of the intersecting roadway to the beginning of the driveway radius. These minimum spacing requirements shall be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.

(3) All applications for development of non-residential uses shall include a suitable access management plan demonstrating that the driveway separation requirements can be met. The following techniques may be employed to achieve this



result, but the burden of accomplishing the desired effect remains with the developer of the property:

- a. Aggregation of parcel;
- b. Parallel frontage or “backage” roads;
- c. Shared curb cuts between adjoining properties; and
- d. Shared access easements between parcels.

(b) Pedestrian access. Paved pedestrian ways shall be included in site design and shall provide a continuous link to adjacent parcels, as well as within the development area. Grade-separated pedestrian walkways must provide a direct connection from the street to the main entrance, and to abutting properties. Pedestrian walkways must be designed and located in a manner that does not require pedestrians to walk through parking lots or cross driveways and sidewalks may be allowed in right-of-way-buffers.

(c) Building height. The height of buildings shall not exceed a maximum of 2.5 stories or 35 feet, whichever is less, measured from the highest curb elevation of Folly Road adjacent to the site.

(d) Residential density. Parcels with a base zoning of CT, LB, GB and LI within the Folly Road Overlay shall be limited to a maximum of eight dwelling units per acre of high ground. A maximum of 12 dwelling units per acre of high ground shall be permitted if workforce housing requirements contained in Article 2, Part 15, of this chapter are met. All parcels developed with residential uses shall include commercial uses so that the square footage of conditioned, commercial floor space equals a minimum of 10 percent of the total square footage of conditioned floor space on the parcel.

(e) Uses. Permitted uses and prohibited uses are described in each of the five sub-areas below. Gun shops shall be permitted only on parcels in this overlay zoning district with a base zoning of General Business (GB).

#### **Sec. 54-229.5. FR Overlay Zone, North Village Sub-Area.**

The North Village sub-area extends from Crosscreek/Tatum Street to Oakpoint Road (Ellis Creek area). This area currently consists of mixed medium and low intensity commercial uses such as shopping centers, professional offices, and vehicle services. Higher intensity residential uses, such as apartment complexes, also exist in this Area. The following regulations apply in addition to the requirements of Section 54-229.4, b:

**a. Permitted uses.** Permitted uses on a parcel shall include uses allowed in the base zoning district of that parcel as modified by Section 54-229.4, b, except that motor vehicle dealers (new and used) shall be prohibited.

**b. Prohibited uses.** Motor vehicle dealers (new and used) shall be prohibited.

**c. Buffers.**

1. A minimum 25-foot vegetated right-of-way buffer shall be required for parcels along Folly Road with a base zoning of GB, LB, CT or GO;

2. A minimum 15-foot vegetated right of way buffer shall be required for parcels along Folly Road with a base zoning of RO;
3. Parcels with a base zoning of GB, LB, CT or GO shall be required to have a minimum 20-foot rear vegetated buffer adjacent to residentially zoned parcels;
4. Parcels with a base zoning of RO shall be required to have a minimum 15-foot vegetated rear buffer adjacent to residentially zoned parcels; and
5. Where appropriate, fencing may be required to screen adjacent residentially zoned parcels. When a minimum 6-foot high opaque fence or wall is utilized, the zoning administrator may reduce the land use buffer by up to one-half ( $\frac{1}{2}$ ) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.
6. Exceptions. In order to allow for new buildings to relate harmoniously with the streetscape and to other structures in the vicinity, when deemed appropriate by the Design Review Board, buildings may be permitted to encroach into the required right-of-way buffer. This exemption shall not apply to parking lots or any other vehicular use areas.

**Sec. 54-229.6. FR Overlay Zone, Commercial Core Sub-Area.**

The Commercial Core sub-area is the gateway and commercial center and extends from Oak Point Road (Ellis Creek Area) to Prescott Street. This area currently consists of higher intensity commercial uses such as chain type restaurants, vehicle service and repair, drug stores, and shopping centers with minimal buffering along Folly Road. The following regulations apply in addition to the requirements of Section 54-229.4, b:

**a. Permitted uses.** Permitted uses on a parcel shall include uses allowed in the base zoning district of that parcel as modified by Section 54-229.4, b, except that motor vehicle dealers (new and used) shall be prohibited.

**b. Prohibited uses.** Motor vehicle dealers (new and used) shall be prohibited.

**c. Buffers.**

1. A minimum of a 15-foot vegetated right-of-way buffer shall be required along Folly Road.
2. A minimum of a 25-foot rear vegetated buffer shall be required adjacent to residentially zoned parcels; and
3. Fencing may be required to screen adjacent residentially zoned parcels. When a minimum 6-foot high opaque fence or wall is utilized, the zoning administrator may reduce the land use buffer by up to one-half ( $\frac{1}{2}$ ) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.

4. Exceptions. In order to allow for new buildings to relate harmoniously with the streetscape and to other structures in the vicinity, when deemed appropriate by the Design Review Board, buildings may be permitted to encroach into the required right-of-way buffer. This exemption shall not apply to parking lots or any other vehicular use areas.

**Sec. 54-229.7. FR Overlay Zone, South Village Sub-Area.**

The South Village sub-area extends from Prescott Street to Rafael Lane. This area currently consists of mixed medium to high intensity commercial development, such as shopping centers big box stores and consumer services, along the west side of Folly Road and primarily small scale office and residential uses along the east side of Folly Road. This area is intended for development similar to the North Village sub-area with less intense commercial development than the Commercial Core sub-area and a mix of medium to high intensity uses along the west side of Folly Road and lower intensity development on the east side of Folly Road. Future development in this area is to be a mix of commercial and residential uses with increased right-of-way buffers along the west side of Folly Road and increased land use buffers on both sides of Folly Road when commercial development occurs adjacent to single family detached residential uses. The following regulations apply in addition to the requirements of Section 54-229.4, b:

**a. Permitted uses.** Permitted uses on a parcel shall include uses allowed in the base zoning district of that parcel as modified by Section 54-229.4, b, except that motor vehicle dealers (new and used) shall be prohibited.

**b. Prohibited uses.** Motor vehicle dealers (new and used) shall be prohibited.

**c. Buffers.**

1. A minimum 15-foot vegetated right-of-way buffer shall be required along the east side of Folly Road and a minimum 35-foot vegetated right-of-way buffer shall be required along the west side of Folly Road;

2. A minimum 20-foot vegetated rear buffer shall be required adjacent to residentially zoned parcels; and

3. Fencing may be required to screen adjacent residentially zoned parcels. When a minimum 6-foot high opaque fence or wall is utilized, the zoning administrator may reduce the land use buffer by up to one-half (1/2) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.

4. Exceptions. In order to allow for new buildings to relate harmoniously with the streetscape and to other structures in the vicinity, when deemed appropriate by the Design Review Board, buildings may be permitted to encroach into the required right-of-way buffer. This exemption shall not apply to parking lots or any other vehicular use areas.

**Sec. 54-229.8. FR Overlay Zone, Neighborhood Preservation Sub-Area.**

The Neighborhood Preservation sub-area extends from Rafael Lane to Battery Island Drive. This area consists primarily of low-intensity residential uses with some commercial development primarily along the northwest area of Folly Road. This portion of the overlay zoning district is intended to provide an appropriate transition from the more intense commercial development in the North Village,

Commercial Core, and South Village Areas before entering the Conservation Area and the City of Folly Beach. The following regulations apply in addition to the requirements of Section 54-229.4, b:

**a. Permitted uses.** Permitted uses on a parcel shall include uses allowed in the base zoning district of that parcel as modified by Section 54-229.4, b, except that motor vehicle dealers (new and used), eating places with drive-thru service, gasoline service stations (with or without convenience stores), indoor recreation and entertainment, and automotive repair shops shall be prohibited.

**b. Prohibited uses.** Motor vehicle dealers (new and used), eating places with drive-thru service, gasoline service stations (with or without convenience stores), indoor recreation and entertainment, and automotive repair shops shall be prohibited.

**c. Building size.** No single building structure shall exceed 5,000 square feet in gross floor area.

**d. Buffers.**

1. A minimum of a 25-foot vegetated right-of-way buffer shall be required along Folly Road. This buffer may be reduced to 15 feet when there is no parking or vehicular use area between buildings and right-of-way.

2. A minimum of a 20-foot vegetated rear buffer shall be required adjacent to residentially zoned parcels.

3. Fencing may be required to screen adjacent residentially zoned parcels. When a minimum 6-foot high opaque fence or wall is utilized, the zoning administrator may reduce the land use buffer by up to one-half (1/2) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.

4. Exceptions. In order to allow for new buildings to relate harmoniously with the streetscape and to other structures in the vicinity, when deemed appropriate by the Design Review Board, buildings may be permitted to encroach into the required right-of-way buffer. This exemption shall not apply to parking lots or any other vehicular use areas.

**Sec. 54-229.9. FR Overlay Zone, Conservation Sub-Area.**

The Conservation sub-area extends from Battery Island Drive to the Folly River. This area is intended to be the least intensely developed area of the overlay zoning district and is to provide a natural scenic open space before entering the City of Folly Beach by preserving the marsh views and vistas of this area. This portion of the overlay zoning district is intended to provide an appropriate transition from the more intense commercial development in the North Village, Commercial Core, and South Village sub-areas before entering the Conservation sub-area and the City of Folly Beach by preserving the existing low density residential character. The following regulations apply in addition to the requirements of Section 54-229.4, b:

**a. Permitted uses.** Permitted uses on a parcel shall include uses allowed in the base zoning district of that parcel as modified by Section 54-229.4, b, except that motor vehicle dealers (new and used) shall be prohibited.

**b. Prohibited uses.**

Motor vehicle dealers (new and used) shall be prohibited.

**c. Buffers.**

1. A minimum of a 25-foot vegetated right-of-way buffer shall be required along Folly Road in the commercial area which may be reduced to 15 feet when there is no parking or vehicular use area between buildings and right-of-way;
2. A minimum of a 20-foot vegetated rear buffer shall be required adjacent to residentially zoned parcels; and
3. Fencing may be required to screen adjacent residentially zoned parcels. When a minimum 6-foot high opaque fence or wall is utilized, the zoning administrator may reduce the land use buffer by up to one-half (1/2) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.
4. Exceptions. In order to allow for new buildings to relate harmoniously with the streetscape and to other structures in the vicinity, when deemed appropriate by the Design Review Board, buildings may be permitted to encroach into the required right-of-way buffer. This exemption shall not apply to parking lots or any other vehicular use areas.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord 2017, in the \_\_\_\_ Year of Independence of the United States of America.

By: \_\_\_\_\_  
John J. Tecklenburg  
Mayor, City of Charleston

Attest: \_\_\_\_\_  
Vanessa Turner-Maybank  
Clerk of Council